



Craig Butler – the General Manager  
Lithgow City Council  
PO Box 19 Lithgow NSW 2790  
Email: [council@lithgow.nsw.gov.au](mailto:council@lithgow.nsw.gov.au)

Dear Craig

<b>Proposed Development:</b>	Planning Proposal – PP2021-4862 – Lithgow LEP 2014 (local Amendment No. 6 – 32 Ian Holt Drive, Lidsdale, Additional Permitted Use (1 Dwelling in land zoned IN2 – Light Industrial))
<b>Applicant:</b>	Applicant (name not provided)
<b>Location:</b>	Lot 1 DP 914028

I refer to Council's letter dated 23 November 2021 requesting comments for the above development proposal.

The Department of Planning Industry & Environment - Crown Lands (the department), as adjoining landowner has reviewed the planning proposal in accordance with the principles of Crown land management (s.1.4 *Crown Lands Management Act 2016*), and offers no objections to the proposed development as no direct impact to Crown land has been identified from the information provided.

This is conditional upon any subsequent development on Lot 1 DP 914028 not impacting or burdening the adjoining Crown road for any of the following reasons during or after any construction.

- No storage of building materials, plant, vehicles or rubbish
- Not relying on the Crown road for access for utilities (water, electricity, gas or sewerage)
- No burdening of the Crown road with actions to meet required bush fire mitigation measures.

i.e. Any new development is required to provide adequate bush fire mitigation measures solely within the developer's land.

Should any subsequent development application be made on the above land that potentially impacts the adjoining Crown road, currently under Enclosure Permit 327367 (see figure 1 below), the department requests an opportunity to review the application prior to determination.

Should you require any further information, please do not hesitate to contact Steve Pearson at the Orange Crown Lands Office by phone on 02 6391 4317 or email [steve.pearson@crowland.nsw.gov.au](mailto:steve.pearson@crowland.nsw.gov.au)

Yours sincerely

**Steve Pearson**  
Senior NRM Officer, Orange  
Department of Planning Industry & Environment - Crown Lands

Date: 17 December 2021



**Figure 1: Aerial overlay of Planning Proposal area.**



## NSW RURAL FIRE SERVICE

City of Lithgow Council  
PO Box 19  
LITHGOW NSW 2790

Your reference: PP-2021-4862 & LLEP2014(A6)  
Our reference: SPI20211123000205

**ATTENTION:** Christian Matthews

Date: Monday 20 December 2021

Dear Sir/Madam,

### **Strategic Planning Instrument**

### **LEP Amendment - Planning Proposal**

Planning Proposal - LLEP 2014 (Local Amendment No.6) - 32 Ian Holt Drive, Lidsdale

I refer to your correspondence dated 23/11/2021 inviting the NSW Rural Fire Service (NSW RFS) to comment on the above Strategic Planning document.

The NSW RFS has considered the information submitted and provides the following comments.

The NSW RFS has no objections to the Planning Proposal to have a dwelling house as an Additional Permitted Use for the subject property.

The future dwelling house will need to address *Planning for Bush Fire Protection 2019* at the Development Application stage.

For any queries regarding this correspondence, please contact Simon Derevnin on 1300 NSW RFS.

Yours sincerely,

Kalpana Varghese  
**Supervisor Development Assessment & Plan  
Built & Natural Environment**

#### **Postal address**

NSW Rural Fire Service  
Locked Bag 17  
GRANVILLE NSW 2142

#### **Street address**

NSW Rural Fire Service  
4 Murray Rose Ave  
SYDNEY OLYMPIC PARK NSW 2127

**T** (02) 8741 5555  
**F** (02) 8741 5550  
[www.rfs.nsw.gov.au](http://www.rfs.nsw.gov.au)

2 December 2021

Contact: *Stuart Little*  
Telephone: *02 9865 2449*  
Our ref: *D2021/125718*

Christian Matthews  
Graduate Strategic Planner  
Lithgow City Council  
PO Box 19  
LITHGOW NSW 2790

Dear Mr Matthews

**Planning Proposal: Lithgow Local Environmental Plan 2014 (Local Amendment No 6) – Lidsdale**

I refer to Council's email of 23 November 2021 regarding a Planning Proposal to add an additional permissible use for a dwelling on land at 32 Ian Holt Drive, Lidsdale (Lot 1 DP 914028). The site is currently zoned IN2 Light Industrial where dwellings are prohibited development under the land use table.

We understand that the Proposal replaces an earlier broader Proposal that sought to rezone the subject land and as well as 58-63 Wolgan Road from IN2 to Large Lot Residential (R5) and to introduce a minimum lot size of 2,000m<sup>2</sup> across the site under the *Lithgow Local Environmental Plan 2014* (LEP). WaterNSW previously provided comments regarding the broader proposal on 24 March 2021 (our ref: D2021/29471). That earlier Proposal has since been withdrawn.

WaterNSW has no objection to the current Planning Proposal.

**Watercourses and Groundwater**

No watercourses appear to occur on the site. We note, however, that the site occurs within the environmentally sensitive areas mapping for groundwater vulnerability as mapped under the LEP. The site has moderately high groundwater vulnerability (p.17). As the site is expected to connect with the mains sewer and water, the Proposal considers that there is expected to be minimal to no impact to groundwater from the proposed residential use of the land (pp.16-17). As the area is mapped as 'Groundwater Vulnerable', any future development will need to satisfy the provisions of clause 7.5 Groundwater vulnerability of the LEP.

**Preliminary Contamination Investigation**

We note that a Preliminary Contamination Investigation (PCI) has been conducted and found no evidence of potentially contaminating uses. The land currently supports pasture and is used for the grazing of cattle. However, a dwelling and infrastructure were previously located in the east of the site. Recently imported fill material for levelling of a house pad was pre-classified (before importation) as Excavated Natural Material (ENM) and is not considered to be a potential contaminant. Soil samples have been collected as part of the PCI process and examined for heavy metal contaminants. The analysis revealed that potential contaminants were below adopted threshold level for residential land-use with access to soil (*HIL A* threshold). The report concludes that the site is suitable for residential land-use. Based on the information contained in the PCI report, we agree with this conclusion.

## **State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011**

The Proposal provides a response to *State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011* (SDWC SEPP), noting that any future development must ensure that stormwater leaving the site has a neutral or beneficial effect (NorBE) on water quality. It also notes that such development will be required to meet WaterNSW's current recommended practices and standards at the development application stage (p.12). We agree with these statements and also note that the site is or can be serviced by water and sewer (pp.15,17).

### **Direction 5.2 Sydney Drinking Water Catchment**

The Planning Proposal responds to Direction 5.2 noting that the site is not located within a Special Area and can be fully serviced. A Strategic Land and Water Capability Assessment for Category 4A Residential Sewered development is provided which identifies that the land has a HIGH capability (i.e. LOW risk to water quality). For completeness, given the area of available land and that the site can be fully serviced, the response to Direction 5.2 should also note that any proposed development is likely to be able to have a NorBE on water quality as required under SDWC SEPP.

Should you have any questions, please contact Stuart Little ([stuart.little@waterNSW.com.au](mailto:stuart.little@waterNSW.com.au)).

Yours sincerely



**ALISON KNIHA**  
**Catchment Protection Planning Manager**